

DONNA ROPER 10/30/2020

<p style="text-align: right;">Page 1</p> <p>1 UNITED STATES DISTRICT COURT 2 EASTERN DISTRICT OF MISSOURI 3 SOUTHEASTERN DIVISION 4 5 6 ROBIN MESEY and JENNIFER MESEY,) 7 Plaintiff,) 8 vs.) 9 CITY OF VAN BUREN, MISSOURI, et) 1:19-CV-71 SNLJ 10 al,) 11 Defendant.) 12 13 14 15 DEPOSITION OF DONNA ROPER 16 TAKEN ON BEHALF OF THE PLAINTIFF 17 OCTOBER 30, 2020 18 19 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 3</p> <p>1 UNITED STATES DISTRICT COURT 2 EASTERN DISTRICT OF MISSOURI 3 SOUTHEASTERN DIVISION 4 5 ROBIN MESEY and JENNIFER MESEY,) 6 Plaintiff,) 7 vs.) 8 CITY OF VAN BUREN, MISSOURI, et) 1:19-CV-71 SNLJ 9 al,) 10 Defendant.) 11 12 DEPOSITION OF DONNA ROPER, produced, 13 sworn and examined on OCTOBER 30, 2020, between the 14 hours of eight o'clock in the forenoon and six o'clock 15 in the afternoon of that day, at the Phelps County 16 Courthouse, 200 North Main Street, Skyroom, Rolla, 17 Missouri 65401, before Sarah J. Pokorski, a Certified 18 Court Reporter and Notary Public within and for the 19 State of Missouri, in a certain cause now pending in 20 the United States District Court, Eastern District of 21 Missouri, Southeastern Division, between ROBIN MESEY 22 and JENNIFER MESEY, Plaintiff vs. CITY OF VAN BUREN, 23 MISSOURI, et al, Defendant; on behalf of the 24 Plaintiff. 25</p>
<p style="text-align: right;">Page 2</p> <p>1 INDEX 2 QUESTIONS BY: PAGE 3 Mr. Schottel 5 4 5 6 7 8 EXHIBITS 9 EXHIBIT PAGE 10 11 12 (Exhibits retained by Mr. Schottel.) 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 4</p> <p>1 A P P E A R A N C E S 2 3 For the Plaintiff: 4 Schottel & Associates 5 James W. Schottel, Jr. 6 906 Olive Street, PH 7 St. Louis, Missouri 63101 8 314-421-0350 9 jwsj@schotteljustice.com 10 11 For the Defendant: 12 Keck Phillips 13 Ty Z. Harden 14 3140 East Division Street 15 Springfield, Missouri 65802 16 417-890-8989 17 ty@kpwlawfirm.com 18 19 Fisher Patterson Saylor & Smith 20 Joshua C. Grumke 21 1010 Market Street 22 Suite 1650 23 St. Louis, Missouri 63101 24 314-561-3675 25 jgrumke@fpsslaw.com 26 27 Court Reporter: 28 Sarah J. Pokorski, CCR 29 Missouri CCR No. 745 30 Alaris Litigation Services 31 711 North Eleventh Street 32 St. Louis, Missouri 63101 33 314-644-2191 34 1-800-280-DEPO 35</p>

1 (Pages 1 to 4)

DONNA ROPER 10/30/2020

Page 5

1 IT IS HEREBY STIPULATED AND AGREED by and
 2 between counsel for the Plaintiff and counsel for the
 3 Defendant that this deposition may be taken in
 4 shorthand by Sarah J. Pokorski, CCR, a Certified Court
 5 Reporter and Notary Public, and afterwards transcribed
 6 into typewriting; and the signature of the witness is
 7 waived.
 8
 9 *****
 10
 11 DONNA ROPER,
 12 Of lawful age, produced, sworn and examined on behalf
 13 of the plaintiff, deposes and says:
 14
 15 (Starting time of the deposition: 2:05 p.m.)
 16
 17 DIRECT EXAMINATION
 18 QUESTIONS BY MR. SCHOTTEL:
 19 **Q. Good afternoon, Mrs. Roper. First I want to**
 20 **thank you for being here and giving your testimony**
 21 **today, as you're not a party. But your attorneys were**
 22 **kind enough to agree that we would take your**
 23 **deposition. I don't expect your deposition to last**
 24 **very long at all. But if you need to take a break for**
 25 **any reason, just let me know, and we can take a break**

Page 6

1 **at that time. Okay?**
 2 A. Okay.
 3 **Q. Could you state and spell your full name.**
 4 A. Donna Rae Roper. It's D-O-N-N-A R-A-E
 5 R-O-P-E-R.
 6 **Q. Okay. Mrs. Roper, I represent Robin – Robin**
 7 **and Jennifer Mesey in this case against the City of**
 8 **Van Buren, Chief Bradwell, and your husband, Charles**
 9 **Roper. I'll be asking you a series of questions. If**
 10 **you don't understand the question, simply ask me to**
 11 **repeat – repeat it or rephrase it, and I'd be happy**
 12 **to do that for you. My questions aren't intended to**
 13 **confuse you in any way. And if you do feel you're not**
 14 **clear about the question, don't – please don't**
 15 **hesitate to let me know. The court reporter's here,**
 16 **so she's going to be taking down everything that's**
 17 **spoken. So try to refrain from answering a question**
 18 **by nodding or doing uh-huh and uh-uh, and voice your**
 19 **answer completely, because it looks better on the**
 20 **transcript than – and plus, a nod of the head is –**
 21 **it just says nodding of the head in parentheses. So**
 22 **we like – we like answers. Right?**
 23 MR. HARDEN: That's well explained.
 24 MR. SCHOTTEL: Isn't it? That's how it
 25 comes out.

Page 7

1 **Q. (BY MR. SCHOTTEL.) Have you had your**
 2 **deposition taken before?**
 3 A. Yes.
 4 **Q. And –**
 5 A. No. Sorry. No.
 6 **Q. No. Okay.**
 7 A. It's my husband. Sorry.
 8 **Q. Right. Are you presently under the influence**
 9 **of any substance, drug, whether prescription,**
 10 **non-prescription, that would affect your ability to**
 11 **understand my questions or to give testimony?**
 12 A. Yes.
 13 **Q. What kind of medication?**
 14 A. Anti-depressants, anxiety, MS meds.
 15 MR. GRUMKE: He's asking whether or not
 16 it's going to affect your ability to testify.
 17 MR. SCHOTTEL: Right.
 18 MR. GRUMKE: Right. To answer truthfully
 19 his questions.
 20 **Q. (BY MR. SCHOTTEL.) Do you still think you**
 21 **can understand my questions and answer them?**
 22 A. I should be able to.
 23 **Q. Okay. And I promise you, my questions aren't**
 24 **going to be complex. Like I said, I'm not going to**
 25 **try to trick you. They'll be straight-forward. And**

Page 8

1 **like I said, if you have any questions, or if you need**
 2 **to speak to your attorney, just let me know. I'm okay**
 3 **to stop at that point.**
 4 A. Okay.
 5 **Q. What's your date of birth?**
 6 A. 12/9/1980.
 7 **Q. And what's the highest grade of education**
 8 **you've completed?**
 9 A. Graduated.
 10 **Q. High school?**
 11 A. High school.
 12 **Q. All right. Have you had any post-high-school**
 13 **education, training, anything?**
 14 A. Yes.
 15 **Q. What kind?**
 16 A. Managerial.
 17 **Q. Okay. Did you take some courses, or**
 18 **something –**
 19 A. I went to a three-day class.
 20 **Q. Oh. Where was that class at?**
 21 A. Cape.
 22 **Q. Cape Girardeau?**
 23 A. Yeah.
 24 **Q. Are you presently employed?**
 25 A. No.

2 (Pages 5 to 8)

DONNA ROPER 10/30/2020

Page 9	Page 11
<p>1 Q. Did you review any documents, or photographs, 2 or anything else -- anything -- anything else in 3 preparation of your deposition today? 4 A. No. 5 Q. And are you aware that the incident relating 6 to this case is your husband, Charles Roper's, 7 shooting of the Meseys' dogs? Correct? 8 A. Yes. 9 Q. Okay. Prior to that incident, were you 10 friends with either one of the Meseys, Jennifer or 11 Robin? 12 A. Yes. 13 Q. Were you friends with both, or one more than 14 the other? 15 A. Both. 16 Q. Do you have children? 17 A. Yes. 18 Q. All right. Were -- prior to this incident, 19 were your children friends with the Meseys' children? 20 A. Yes. 21 Q. Okay. Did your kids have a chance before 22 this incident to sleep over and spend the night at the 23 Meseys' residence? 24 A. Yes. 25 Q. And during any of those times, did the Meseys</p>	<p>1 Q. Did Nina ever attack you? 2 A. No. 3 Q. Did you have a chance to see your children 4 interact with either Max or Nina? 5 A. Yes. 6 Q. And can you describe those interactions. 7 A. Fine. 8 Q. So did your children play with Max? 9 A. Yeah. 10 Q. Did they play with Nina? 11 A. Yeah. 12 Q. Is that a yes? 13 A. Yes. Sorry. I said yeah. 14 Q. Yeah. Close enough. Right? And prior to 15 this incident, how often would you say you would spend 16 time at the Meseys' residence? 17 A. Once or twice a week. 18 Q. And would that be you yourself, or you and 19 your kids? 20 A. Me, myself, and me and my kids. 21 Q. So sometimes just you alone, and sometimes 22 with the kids? 23 A. Yes. 24 Q. And had that occurred over a year? A couple 25 years?</p>
Page 10	Page 12
<p>1 have the dog Max? 2 A. Yes. 3 Q. Did they have the dog Nina during any of 4 those times? 5 A. Yes. 6 Q. Yes. Would you ever go to the Meseys' house 7 and socialize with them? 8 A. Yes. 9 Q. Okay. And when you socialized with Jennifer 10 and Robin Mesey, was Max present? 11 A. Yes. 12 Q. Were you friendly with Max? 13 A. Yes. 14 Q. Did you pet him? 15 A. Yes. 16 Q. Did he ever bite you? 17 A. No. 18 Q. Did he ever attack you? 19 A. No. 20 Q. What about Nina? Were you friends with Nina? 21 A. Yes. 22 Q. Did you pet Nina? 23 A. Yes. 24 Q. Did Nina ever bite you? 25 A. No.</p>	<p>1 A. Many years. 2 Q. Okay. At the time of the incident subject to 3 this case, where were Jennifer and Robin Mesey living? 4 A. I don't know. 5 Q. Do you know on what street? 6 A. Dale Street. 7 Q. And do you know what house? I mean, could 8 you locate the house? 9 A. I think they were in their dad's house. 10 Q. Okay. 11 A. Her dad's house -- 12 Q. Right. 13 A. -- I should say. 14 Q. Okay. Now, any of those visits that we 15 talked about before, did any of them occur at their 16 location on Dale Street? 17 A. Yes. 18 Q. And did your father also live on Dale Street? 19 A. Yes. 20 Q. About how far from the Meseys did your father 21 live? 22 A. One block. 23 Q. Did your father have a dog? 24 A. Yes. 25 Q. And what was the dog's name?</p>

3 (Pages 9 to 12)

DONNA ROPER 10/30/2020

Page 13	Page 15
<p>1 A. Draco.</p> <p>2 Q. Okay. Is that D-R-A-C-O?</p> <p>3 A. Yes.</p> <p>4 Q. What kind of dog was Draco?</p> <p>5 A. He was a mix.</p> <p>6 Q. Okay. About how big was Draco?</p> <p>7 A. German Shepherd size.</p> <p>8 Q. More than 50 pounds?</p> <p>9 A. Yes.</p> <p>10 Q. In between 50 and 100?</p> <p>11 A. Yeah.</p> <p>12 Q. So not a small dog?</p> <p>13 A. No.</p> <p>14 Q. On the date of the incident, did you have a</p> <p>15 chance to travel to Dale Street?</p> <p>16 A. On the date of the incident?</p> <p>17 Q. Yes.</p> <p>18 A. Yes.</p> <p>19 Q. I'm sorry?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. And how did you get to Dale Street?</p> <p>22 By what means of transportation?</p> <p>23 A. Vehicle.</p> <p>24 Q. All right. And whose vehicle were you in?</p> <p>25 A. My son's.</p>	<p>1 dad's house?</p> <p>2 A. Yes.</p> <p>3 Q. And what happened after your husband parked</p> <p>4 the vehicle?</p> <p>5 A. We went in and visited with my dad.</p> <p>6 Q. Did you two walk in your dad's house</p> <p>7 together?</p> <p>8 A. Yes.</p> <p>9 Q. And did your dad say anything about Draco?</p> <p>10 A. No. Draco was in the house at the time.</p> <p>11 Q. Okay. How long did you visit with your dad</p> <p>12 that time?</p> <p>13 A. I can't remember.</p> <p>14 Q. Okay. At some point, did – did your dad or</p> <p>15 anyone let Draco outside?</p> <p>16 A. Yes. My dad did.</p> <p>17 Q. Okay. And what happened after Draco was let</p> <p>18 outside?</p> <p>19 A. We sat in there and talked a little longer.</p> <p>20 Q. Okay. And did Draco come back inside?</p> <p>21 A. No.</p> <p>22 Q. Okay. At some point, did you and your</p> <p>23 husband leave your dad's house?</p> <p>24 A. Yes.</p> <p>25 Q. Okay. And did you leave just because you had</p>
Page 14	Page 16
<p>1 Q. And who was driving?</p> <p>2 A. My husband.</p> <p>3 Q. Okay. And when you – were you in the</p> <p>4 passenger's seat?</p> <p>5 A. Yes.</p> <p>6 Q. Was anyone else in the vehicle besides you</p> <p>7 and your husband?</p> <p>8 A. No.</p> <p>9 Q. When you were driving to Dale Street, was</p> <p>10 your intention to go visit your dad?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. Did you drive to your dad's house?</p> <p>13 A. My husband did.</p> <p>14 Q. I'm sorry. Good answer. Did you and your</p> <p>15 husband drive to your dad's house?</p> <p>16 A. Yes.</p> <p>17 Q. And as you got to your dad's house, what did</p> <p>18 you see?</p> <p>19 A. Nothing.</p> <p>20 Q. And when you arrived at your dad's house, did</p> <p>21 your husband park the vehicle?</p> <p>22 A. Yes.</p> <p>23 Q. All right. Do you remember where he parked?</p> <p>24 A. Right in front of the sidewalk.</p> <p>25 Q. And would that have been in front of your</p>	<p>1 visited long enough, it was time to go to the next</p> <p>2 spot, or –</p> <p>3 A. Yes.</p> <p>4 Q. And did you both exit your dad's house at the</p> <p>5 same time?</p> <p>6 A. Yes, we did.</p> <p>7 Q. And what happened after you exited your dad's</p> <p>8 house?</p> <p>9 A. We got in the vehicle, drove up the street,</p> <p>10 and seen a pile of dogs in the middle of the road.</p> <p>11 Q. Pile of dogs wrestling? Fighting?</p> <p>12 A. Fighting.</p> <p>13 Q. What were they doing? Did you recognize the</p> <p>14 dogs?</p> <p>15 A. Yes, I did.</p> <p>16 Q. What dogs did you recognize?</p> <p>17 A. I recognized my father's.</p> <p>18 Q. Was Draco the only dog you recognized?</p> <p>19 A. No. I recognized Max and Nina, too.</p> <p>20 Q. Prior to this incident, had Draco and Max or</p> <p>21 Nina – had they fought before?</p> <p>22 A. Yes.</p> <p>23 Q. Did they do that often?</p> <p>24 A. I think there was only one time before.</p> <p>25 Q. Okay. Was Max injured? Or was Draco injured</p>

4 (Pages 13 to 16)

DONNA ROPER 10/30/2020

<p style="text-align: right;">Page 17</p> <p>1 that one time before?</p> <p>2 A. Yes.</p> <p>3 Q. What happened to him?</p> <p>4 A. He had bite marks all over his face.</p> <p>5 Q. Okay. He didn't have any deadly wounds; did</p> <p>6 he?</p> <p>7 A. Not deadly. No.</p> <p>8 Q. Okay. When you saw Draco, Max and Nina in</p> <p>9 the middle of the road fighting, what did you and your</p> <p>10 husband do?</p> <p>11 A. We stopped the vehicle.</p> <p>12 Q. And what happened after you guys stopped the</p> <p>13 vehicle?</p> <p>14 A. We stepped out of the vehicle.</p> <p>15 Q. Did you exit the passenger's side door?</p> <p>16 A. Yes, I did.</p> <p>17 Q. Okay. And did your husband, Charles, exit</p> <p>18 the driver's side door?</p> <p>19 A. Yes.</p> <p>20 Q. What did you do after you exited the door?</p> <p>21 A. I stood beside the door for a minute.</p> <p>22 Q. Okay. And when you both exited the vehicle,</p> <p>23 what were the dogs doing at that time?</p> <p>24 A. Both Max and Nina were just ripping him</p> <p>25 apart.</p>	<p style="text-align: right;">Page 19</p> <p>1 his house.</p> <p>2 Q. Okay. And what did you do with Draco after</p> <p>3 you got him to your dad's house?</p> <p>4 A. We checked him thoroughly for wounds, which</p> <p>5 he had quite a few.</p> <p>6 Q. Okay. Did you take him to a veterinarian for</p> <p>7 care?</p> <p>8 A. No. My dad's stubborn. We tried to get him</p> <p>9 to.</p> <p>10 Q. So the answer's no?</p> <p>11 A. No.</p> <p>12 Q. So the wounds weren't deadly.</p> <p>13 MR. GRUMKE: Objection. Calls for</p> <p>14 speculation.</p> <p>15 Q. (BY MR. SCHOTTEL.) Did – did Draco die from</p> <p>16 the wounds that day?</p> <p>17 A. No.</p> <p>18 Q. Was Max attacking you that day?</p> <p>19 A. No.</p> <p>20 Q. Did Max bite you that day?</p> <p>21 A. No.</p> <p>22 Q. Did Nina attack you that day?</p> <p>23 A. No.</p> <p>24 Q. Did Nina bite you that day?</p> <p>25 A. No.</p>
<p style="text-align: right;">Page 18</p> <p>1 Q. Did you say anything to them?</p> <p>2 A. I hollered their names, to see if I could get</p> <p>3 their attention.</p> <p>4 Q. Okay. And did you see or hear your husband</p> <p>5 do anything?</p> <p>6 A. Not at that time. I was focused on the dogs.</p> <p>7 Q. Okay. What happened next?</p> <p>8 A. What happened next? I heard my husband take</p> <p>9 one shot, and it scared the smallest dog off. And</p> <p>10 then I went to take a few steps forward to see if I</p> <p>11 could try and coax Max off of my dad's dog. And then</p> <p>12 he just decided that hackles were raised, tail was</p> <p>13 stiff, you know, teeth bared, he was growling, and he</p> <p>14 was fixing -- he was coming over the top of Draco</p> <p>15 towards me, so my husband took a second shot.</p> <p>16 Q. Do you know where he took the shot at?</p> <p>17 A. Which one? The first one or the second one?</p> <p>18 Q. The second one.</p> <p>19 A. At the dog. In the head. Well, back of the</p> <p>20 neck, I think. I didn't really get to see that part.</p> <p>21 Q. Okay. How close was Max to you when your</p> <p>22 husband, Charles, shot him?</p> <p>23 A. About five foot.</p> <p>24 Q. And what happened after Mr. Roper shot Max?</p> <p>25 A. I got my dad's dog and took him back down to</p>	<p style="text-align: right;">Page 20</p> <p>1 Q. And I – when I say that day to all those</p> <p>2 questions, I'm referring to the day that your husband</p> <p>3 shot Max. Right?</p> <p>4 A. Right.</p> <p>5 Q. Okay. You had mentioned something about the</p> <p>6 hackles. Can you describe what the hackles are.</p> <p>7 A. It's the fur on the dog's back.</p> <p>8 Q. Okay. And what was significant about the fur</p> <p>9 on Max's back?</p> <p>10 A. Usually when they're raised, that means</p> <p>11 they're aggravated.</p> <p>12 Q. I wasn't asking what it means when they're</p> <p>13 raised. I'm asking your observation of Max that day.</p> <p>14 What did you observe about his hair?</p> <p>15 A. I seen that his hackles were raised, and his</p> <p>16 tail was stiff, and he was baring his teeth at me.</p> <p>17 Q. And that's your testimony today?</p> <p>18 A. Yes.</p> <p>19 Q. All right. And the incident subject to this</p> <p>20 case, I believe, was February 22nd, 2019. Does that</p> <p>21 sound right?</p> <p>22 A. Yes.</p> <p>23 Q. Were you interviewed by anyone with the</p> <p>24 Carter County Sheriff's Department?</p> <p>25 A. No. They took a statement, is all.</p>

5 (Pages 17 to 20)

DONNA ROPER 10/30/2020

Page 21	Page 23
<p>1 Q. You gave a statement? You weren't 2 interviewed, but you gave a statement? 3 A. Yeah. I gave a statement. 4 MR. SCHOTTEL: Can you -- there's only one 5 copy. You want to grab this. Kind of push that 6 sticker down before it falls off. It's the whole 7 thing. 8 MR. GRUMKE: This whole thing? 9 MR. SCHOTTEL: Yeah. They're Bates 10 numbered. It's the Carter County -- 11 MR. GRUMKE: Oh, it's the whole -- it's the 12 whole file? 13 Q. (BY MR. SCHOTTEL.) I've just put in front of 14 you Plaintiff's Exhibit 1. It's the Carter County 15 Sheriff's investigation file. They're Bates numbered. 16 Means their page numbers are in the upper-right 17 corner. Could you turn to Page 83. 18 MR. GRUMKE: Number 89. 19 MR. SCHOTTEL: Toward the very back. 83. 20 THE WITNESS: 83? 21 MR. GRUMKE: 83? 22 THE WITNESS: 83. 23 Q. (BY MR. SCHOTTEL.) If you could take a 24 minute to read through that. 25 A. Okay.</p>	<p>1 Q. Okay. Is there any reason why you didn't 2 state anything about the hackles in your statement? 3 A. I didn't know that a statement had to be 4 detailed. 5 Q. Okay. Is there any reason you didn't state 6 anything about the -- Max's teeth being shown to you? 7 A. I just basically explained what happened. 8 Q. Well, this is an explanation of what 9 happened, according to you, on that day. Right? 10 But -- and today, you're giving a different version. 11 MR. HARDEN: Object to form. 12 Argumentative. 13 Q. (BY MR. SCHOTTEL.) Are you testifying to 14 something additionally today that's not in that 15 written statement? 16 A. No. I just didn't write the details down on 17 here. 18 Q. Okay. So that's my question. Are you 19 testifying today to something additional that is not 20 contained in your original written statement? 21 A. Yes. 22 Q. Okay. What happened after your husband, 23 Mr. Roper, shot Max? 24 A. What happened after? I took my dad's dog 25 and -- took my dad's dog back down to his house.</p>
Page 22	Page 24
<p>1 Q. All right. In the -- in your statement that 2 you -- or first, what's the day of this statement? 3 A. 2/22/19. 4 Q. That's the same day as the incident. 5 Correct? 6 A. Yes. 7 Q. Did you say anywhere in your statement that 8 Max' hackles were raised? 9 A. No. 10 Q. Did you say his -- anything about his tail -- 11 A. No. 12 Q. -- being straight? No? Is that a no? 13 A. No. 14 Q. Did you say anything about Max showing his 15 teeth towards you? 16 A. No. 17 Q. Okay. And correct me if I'm wrong, but in 18 your statement, you stated the dog came towards me, 19 and my husband fired another shot. In that statement, 20 the dog, were you referring to Max? 21 A. Yes. 22 Q. So Max only came toward you? 23 A. Me. 24 Q. Yes. 25 A. Yes.</p>	<p>1 Q. Okay. Did you see Max after he got shot? 2 A. No. I didn't. 3 Q. Wasn't he in front of you? 4 A. I was more focused on my dad's dog. 5 Q. Okay. Where was Max? If you were standing, 6 and Max was getting shot, you said he's about five 7 feet from you. Correct? 8 A. Uh-huh. 9 Q. Was he in front of you, or to the side of 10 you? 11 A. In front. 12 Q. Okay. Where was Draco? 13 A. In front of me. 14 Q. Was he on the other side of Max? 15 A. No. Max was on top of him. 16 Q. Okay. Five feet away? 17 A. Yes. 18 Q. Were you present when either Robin or 19 Jennifer Mesey came out to the location? 20 A. No. 21 Q. Did your husband go with you -- or I'm 22 sorry -- what did you do with Draco after your husband 23 shot Max? 24 A. I took him to my dad's house. 25 Q. Did your husband, Charles, go with you?</p>

6 (Pages 21 to 24)


DONNA ROPER 10/30/2020

Page 25

1 A. No.
2 **Q. Do you know what he did?**
3 A. Wasn't there. No.
4 MR. SCHOTTEL: Okay. I don't have any
5 further questions. Thank you for coming.
6 THE WITNESS: Thank you.
7 MR. HARDEN: No questions.
8 MR. GRUMKE: All right. So you can
9 either -- you have two options with the transcript.
10 Either you can waive, which means you say you trust
11 the court reporter that she took down everything you
12 testified to today correctly, or we can get a copy of
13 it, you can review it, and then you can sign
14 afterwards. So it's up to you. I'm not going to push
15 you one way or another. But let her know. Or you'll
16 have to let the court reporter know before we finish.
17 THE WITNESS: I guess I can go ahead and
18 waive. Trust that she --
19 MR. GRUMKE: That's fine. No. That's
20 fine. We'll waive signature, then.
21
22 (Ending time of the deposition: 2:43 p.m.)
23
24
25

Page 26

1 CERTIFICATE OF REPORTER
2 STATE OF MISSOURI)
3) ss.
4 COUNTY OF PHELPS)
5
6 I, Sarah J. Pokorski, Certified Court
7 Reporter within and for the State of Missouri, do
8 hereby certify that the witness whose testimony
9 appears in the foregoing deposition was duly sworn by
10 me; that the testimony of said witness was taken by me
11 to the best of my ability and thereafter reduced to
12 typewriting under my direction; that I am neither
13 counsel for, related to, nor employed by any of the
14 parties to the action in which this deposition was
15 taken, and further that I am not a relative or
16 employee of any attorney or counsel employed by the
17 parties thereto, nor financially or otherwise
18 interested in the outcome of the action.

19 
20 Sarah Pokorski, CCR 745
21
22
23
24
25



7 (Pages 25 to 26)

DONNA ROPER 10/30/2020

A	20:9 21:19 23:25 bared 18:13 baring 20:16 basically 23:7 Bates 21:9,15 behalf 1:16 3:23 5:12 believe 20:20 best 26:11 better 6:19 big 13:6 birth 8:5 bite 10:16,24 17:4 19:20,24 block 12:22 Bradwell 6:8 break 5:24,25 Buren 1:9 3:8 3:22 6:8	9:19 11:3,8 City 1:9 3:8,22 6:7 class 8:19,20 clear 6:14 close 11:14 18:21 coax 18:11 come 15:20 comes 6:25 coming 18:14 25:5 completed 8:8 completely 6:19 complex 7:24 confuse 6:13 contained 23:20 copy 21:5 25:12 corner 21:17 correct 9:7 22:5,17 24:7 correctly 25:12 counsel 5:2,2 26:13,16 County 3:15 20:24 21:10,14 26:4 couple 11:24 courses 8:17 court 1:1 3:1,18 3:20 4:18 5:4 6:15 25:11,16 26:6 Courthouse 3:16	Dale 12:6,16,18 13:15,21 14:9 date 8:5 13:14 13:16 day 3:15 19:16 19:18,20,22 19:24 20:1,2 20:13 22:2,4 23:9 deadly 17:5,7 19:12 decided 18:12 Defendant 1:11 3:10,23 4:8 5:3 Department 20:24 deposes 5:13 deposition 1:15 3:12 5:3,15,23 5:23 7:2 9:3 25:22 26:9,14 describe 11:6 20:6 detailed 23:4 details 23:16 die 19:15 different 23:10 DIRECT 5:17 direction 26:12 District 1:1,2 3:1 3:2,20,20 Division 1:3 3:3 3:21 4:9 documents 9:1 dog 10:1,3 12:23 13:4,12 16:18 18:9,11,19,25 22:18,20 23:24,25 24:4 dog's 12:25 20:7 dogs 9:7 16:10 16:11,14,16 17:23 18:6 doing 6:18 16:13 17:23	Donna 1:15 3:12 5:11 6:4 door 17:15,18,20 17:21 Draco 13:1,4,6 15:9,10,15,17 15:20 16:18,20 16:25 17:8 18:14 19:2,15 24:12,22 drive 14:12,15 driver's 17:18 driving 14:1,9 drove 16:9 drug 7:9 duly 26:9
	C		E	
ability 7:10,16 26:11 able 7:22 action 26:14,18 additional 23:19 additionally 23:14 affect 7:10,16 afternoon 3:15 5:19 age 5:12 aggravated 20:11 agree 5:22 AGREED 5:1 ahead 25:17 al 1:10 3:9,23 Alaris 4:19 answer 6:19 7:18,21 14:14 answer's 19:10 answering 6:17 answers 6:22 Anti-depress... 7:14 anxiety 7:14 apart 17:25 appears 26:9 Argumentative 23:12 arrived 14:20 asking 6:9 7:15 20:12,13 Associates 4:3 attack 10:18 11:1 19:22 attacking 19:18 attention 18:3 attorney 8:2 26:16 attorneys 5:21 aware 9:5	C 4:1,13 Calls 19:13 Cape 8:21,22 care 19:7 Carter 20:24 21:10,14 case 6:7 9:6 12:3 20:20 cause 3:19 CCR 4:18,19 5:4 26:20 certain 3:19 CERTIFICATE 26:1 Certified 3:17 5:4 26:6 certify 26:8 chance 9:21 11:3 13:15 Charles 6:8 9:6 17:17 18:22 24:25 checked 19:4 Chief 6:8 children 9:16,19	D-O-N-N-A 6:4 D-R-A-C-O 13:2 dad 14:10 15:5,9 15:11,14,16 dad's 12:9,11 14:12,15,17,20 15:1,6,23 16:4 16:7 18:11,25 19:3,8 23:24 23:25 24:4,24	E 4:1,1 East 4:9 Eastern 1:2 3:2 3:20 education 8:7 8:13 eight 3:14 either 9:10 11:4 24:18 25:9,10 Eleventh 4:20 employed 8:24 26:13,16 employee 26:16 et 1:9 3:8,23 EXAMINATION 5:17 examined 3:13 5:12 Exhibit 2:9 21:14 Exhibits 2:8,12 exit 16:4 17:15,17 exited 16:7 17:20,22 expect 5:23 explained 6:23 23:7 explanation	
B				
back 15:20 18:19,25 20:7				

ALARIS LITIGATION SERVICES

www.alaris.us

Phone: 1.800.280.3376

Fax: 314.644.1334

EXHIBIT D

DONNA ROPER 10/30/2020

23:8	getting 24:6	15:1,6,10,23	4:6	means 13:22
F	Girardeau 8:22	16:4,8 19:1,3	K	20:10,12 21:16
face 17:4	give 7:11	23:25 24:24	Keck 4:8	25:10
falls 21:6	giving 5:20	husband 6:8	kids 9:21 11:19	medication 7:13
far 12:20	23:10	7:7 9:6 14:2,7	11:20,22	meds 7:14
father 12:18,20	go 10:6 14:10	14:13,15,21	kind 5:22 7:13	mentioned
12:23	16:1 24:21,25	15:3,23 17:10	8:15 13:4 21:5	20:5
father's 16:17	25:17	17:17 18:4,8,15	know 5:25 6:15	Mesey 1:6,6 3:5
February 20:20	going 6:16 7:16	18:22 20:2	8:2 12:4,5,7	3:5,21,22 6:7
feel 6:13	7:24,24 25:14	22:19 23:22	18:13,16 23:3	10:10 12:3
feet 24:7,16	Good 5:19 14:14	24:21,22,25	25:2,15,16	24:19
fighting 16:11,12	grab 21:5	I	L	Meseys 9:10,25
17:9	grade 8:7	incident 9:5,9	lawful 5:12	12:20
file 21:12,15	Graduated 8:9	9:18,22 11:15	leave 15:23,25	Meseys' 9:7,19
financially 26:17	growling 18:13	12:2 13:14,16	Litigation 4:19	9:23 10:6 11:16
fine 11:7 25:19	Grumke 4:13	16:20 20:19	little 15:19	middle 16:10
25:20	7:15,18 19:13	22:4	live 12:18,21	17:9
finish 25:16	21:8,11,18,21	INDEX 2:1	living 12:3	minute 17:21
fired 22:19	25:8,19	influence 7:8	locate 12:8	21:24
first 5:19 18:17	guess 25:17	injured 16:25	location 12:16	Missouri 1:2,9
22:2	guys 17:12	16:25	24:19	3:2,8,17,19,21
Fisher 4:13	H	inside 15:20	long 5:24 15:11	3:23 4:5,10,15
five 18:23 24:6	hackles 18:12	intended 6:12	16:1	4:19,20 26:2,7
24:16	20:6,6,15	intention 14:10	longer 15:19	mix 13:5
fixing 18:14	22:8 23:2	interact 11:4	looks 6:19	N
focused 18:6	hair 20:14	interactions 11:6	Louis 4:5,15,20	N 4:1
24:4	happened 15:3	interested	M	name 6:3 12:25
foot 18:23	15:17 16:7 17:3	26:18	Main 3:16	names 18:2
foregoing 26:9	17:12 18:7,8,24	interviewed	Managerial 8:16	neck 18:20
forenoon 3:14	23:7,9,22,24	20:23 21:2	Market 4:14	need 5:24 8:1
form 23:11	happy 6:11	investigation	marks 17:4	neither 26:12
forward 18:10	Harden 4:9	21:15	Max 10:1,10,12	night 9:22
fought 16:21	6:23 23:11	J	11:4,8 16:19,20	Nina 10:3,20,20
friendly 10:12	25:7	J 3:17 4:18 5:4	16:25 17:8,24	10:22,24 11:1,4
friends 9:10,13	head 6:20,21	26:6	18:11,21,24	11:10 16:19,21
9:19 10:20	18:19	James 4:4	19:18,20 20:3	17:8,24 19:22
front 14:24,25	hear 18:4	Jennifer 1:6 3:5	20:13 22:14	19:24
21:13 24:3,9,11	heard 18:8	3:22 6:7 9:10	22:20,22	nod 6:20
24:13	hesitate 6:15	10:9 12:3	23:23 24:1,5,6	nodding 6:18,21
full 6:3	High 8:10,11	24:19	24:14,15,23	non-prescripti...
fur 20:7,8	highest 8:7	jgrumke@fps...	Max' 22:8	7:10
further 25:5	hollered 18:2	4:16	Max's 20:9	North 3:16 4:20
26:15	hours 3:14	Joshua 4:13	23:6	Notary 3:18 5:5
G	house 10:6 12:7	Jr 4:4	mean 12:7	Number 21:18
German 13:7	12:8,9,11 14:12	jwsj@schottel...		numbered 21:10
	14:15,17,20			21:15

ALARIS LITIGATION SERVICES

www.alaris.us

Phone: 1.800.280.3376

Fax: 314.644.1334

EXHIBIT D

DONNA ROPER 10/30/2020

numbers 21:16	parties 26:14,17	questions 2:2	14:24 20:3,4	18:22,24 20:3
<hr/> O	party 5:21	5:18 6:9,12	20:19,21 22:1	22:19 23:23
o'clock 3:14,14	passenger's	7:11,19,21,23	23:9 25:8	24:1,6,23
Object 23:11	14:4 17:15	8:1 20:2 25:5	ripping 17:24	showing 22:14
Objection 19:13	Patterson 4:13	25:7	road 16:10 17:9	shown 23:6
observation	pending 3:19	quite 19:5	Robin 1:6 3:5,21	side 17:15,18
20:13	pet 10:14,22	<hr/> R	6:6,6 9:11	24:9,14
observe 20:14	PH 4:4	R 4:1	10:10 12:3	sidewalk 14:24
occur 12:15	Phelps 3:15	R-A-E 6:4	24:18	sign 25:13
occurred 11:24	26:4	R-O-P-E-R 6:5	Rolla 3:16	signature 5:6
OCTOBER 1:17	Phillips 4:8	Rae 6:4	Roper 1:15 3:12	25:20
3:13	photographs	raised 18:12	5:11,19 6:4,6,9	significant 20:8
Oh 8:20 21:11	9:1	20:10,13,15	18:24 23:23	simply 6:10
okay 6:1,2,6 7:6	pile 16:10,11	22:8	Roper's 9:6	six 3:14
7:23 8:2,4,17	plaintiff 1:7,16	read 21:24	<hr/> S	size 13:7
9:9,21 10:9	3:6,22,24 4:3	really 18:20	S 4:1	Skyroom 3:16
12:2,10,14 13:2	5:2,13	reason 5:25	Sarah 3:17 4:18	sleep 9:22
13:6,21 14:3,12	Plaintiff's 21:14	23:1,5	5:4 26:6,20	small 13:12
15:11,14,17,20	play 11:8,10	recognize 16:13	sat 15:19	smallest 18:9
15:22,25	please 6:14	16:16	saw 17:8	Smith 4:13
16:25 17:5,8	plus 6:20	recognized	Sayler 4:13	SNLJ 1:9 3:8
17:17,22 18:4,7	point 8:3 15:14	16:17,18,19	says 5:13 6:21	socialize 10:7
18:21 19:2,6	15:22	reduced 26:11	scared 18:9	socialized 10:9
20:5,8 21:25	Pokorski 3:17	referring 20:2	school 8:10,11	son's 13:25
22:17 23:1,5	4:18 5:4 26:6	22:20	Schottel 2:3,12	sorry 7:5,7 11:13
23:18,22 24:1	26:20	refrain 6:17	4:3,4 5:18	13:19 14:14
24:5,12,16	post-high-sch...	related 26:13	6:24 7:1,17,20	24:22
25:4	8:12	relating 9:5	19:15 21:4,9,13	sound 20:21
Olive 4:4	pounds 13:8	relative 26:15	21:19,23 23:13	Southeastern
Once 11:17	preparation 9:3	remember	25:4	1:3 3:3,21
options 25:9	prescription 7:9	14:23 15:13	seat 14:4	speak 8:2
original 23:20	present 10:10	repeat 6:11,11	second 18:15,17	speculation
outcome 26:18	24:18	rephrase 6:11	18:18	19:14
outside 15:15,18	presently 7:8	reporter 3:18	see 11:3 14:18	spell 6:3
<hr/> P	8:24	4:18 5:5 25:11	18:2,4,10,20	spend 9:22
P 4:1,1	prior 9:9,18 11:14	25:16 26:1,7	24:1	11:15
p.m 5:15 25:22	16:20	reporter's 6:15	seen 16:10	spoken 6:17
page 2:2,9	produced 3:12	represent 6:6	20:15	spot 16:2
21:16,17	5:12	residence 9:23	series 6:9	Springfield 4:10
parentheses	promise 7:23	11:16	Services 4:19	ss 26:3
6:21	Public 3:18 5:5	retained 2:12	Shepherd 13:7	St 4:5,15,20
park 14:21	push 21:5 25:14	review 9:1 25:13	Sheriff's 20:24	standing 24:5
parked 14:23	put 21:13	right 6:22 7:8,17	21:15	Starting 5:15
15:3	<hr/> Q	7:18 8:12 9:18	shooting 9:7	state 3:19 6:3
part 18:20	question 6:10	11:14 12:12	shorthand 5:4	23:2,5 26:2,7
	6:14,17 23:18	13:24 14:23	shot 18:9,15,16	stated 22:18
				statement

DONNA ROPER 10/30/2020

20:25 21:1,2,3 22:1,2,7,18,19 23:2,3,15,20 States 1:1 3:1,20 stepped 17:14 steps 18:10 sticker 21:6 stiff 18:13 20:16 STIPULATED 5:1 stood 17:21 stop 8:3 stopped 17:11,12 straight 22:12 straight-forwa... 7:25 street 3:16 4:4,9 4:14,20 12:5,6 12:16,18 13:15 13:21 14:9 16:9 stubborn 19:8 subject 12:2 20:19 substance 7:9 Suite 4:14 sworn 3:13 5:12 26:9	26:8,10 thank 5:20 25:5,6 thereto 26:17 thing 21:7,8 think 7:20 12:9 16:24 18:20 thoroughly 19:4 three-day 8:19 time 5:15 6:1 11:16 12:2 15:10,12 16:1,5 16:24 17:1,23 18:6 25:22 times 9:25 10:4 today 5:21 9:3 20:17 23:10,14 23:19 25:12 top 18:14 24:15 training 8:13 transcribed 5:5 transcript 6:20 25:9 transportation 13:22 travel 13:15 trick 7:25 tried 19:8 trust 25:10,18 truthfully 7:18 try 6:17 7:25 18:11 turn 21:17 twice 11:17 two 15:6 25:9 Ty 4:9 ty@kpwlawfir... 4:11 typewriting 5:6 26:12	United 1:1 3:1,20 upper-right 21:16 Usually 20:10 V Van 1:9 3:8,22 6:8 vehicle 13:23 13:24 14:6,21 15:4 16:9 17:11 17:13,14,22 version 23:10 veterinarian 19:6 visit 14:10 15:11 visited 15:5 16:1 visits 12:14 voice 6:18 vs 1:8 3:7,22 W W 4:4 waive 25:10,18 25:20 waived 5:7 walk 15:6 want 5:19 21:5 wasn't 20:12 24:3 25:3 way 6:13 25:15 We'll 25:20 week 11:17 went 8:19 15:5 18:10 weren't 19:12 21:1 witness 5:6 21:20,22 25:6 25:17 26:8,10 wounds 17:5 19:4,12,16 wrestling 16:11 write 23:16 written 23:15 23:20 wrong 22:17	X Y yeah 8:23 11:9 11:11,13,14 13:11 21:3,9 year 11:24 years 11:25 12:1 Z Z 4:9 O 1 1 21:14 1-800-280-D... 4:21 1:19-CV-71 1:9 3:8 100 13:10 1010 4:14 12/9/1980 8:6 1650 4:14 2 2/22/19 22:3 2:05 5:15 2:43 25:22 200 3:16 2019 20:20 2020 1:17 3:13 22nd 20:20 3 30 1:17 3:13 314-421-0350 4:5 314-561-3675 4:15 314-644-2191 4:21 3140 4:9 4 417-890-8989 4:10	5 5 2:3 50 13:8,10 6 63101 4:5,15,20 65401 3:17 65802 4:10 7 711 4:20 745 4:19 26:20 8 83 21:17,19,20 21:21,22 89 21:18 9 906 4:4
T tail 18:12 20:16 22:10 take 5:22,24,25 8:17 18:8,10 19:6 21:23 taken 1:16 5:3 7:2 26:10,15 talked 12:15 15:19 teeth 18:13 20:16 22:15 23:6 testified 25:12 testifing 23:19 testify 7:16 testifying 23:13 testimony 5:20 7:11 20:17	U uh-huh 6:18 24:8 uh-uh 6:18 understand 6:10 7:11,21			

ALARIS LITIGATION SERVICES

www.alaris.us

Phone: 1.800.280.3376

Fax: 314.644.1334

EXHIBIT D